

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Hyderabad City – Withdrawal of prosecution against Sri (Capt.) K.Nishant Nair, presently working at Assam Rifles Training Centre and School (ARTC&S), Dimapur, Nagaland in Cr.No.121/2004 under section 333 of the Indian Penal Code, 1860 pending before IV Addl.Chief Metropolitan Magistrate court vide PRC No.18/20006 – Orders - Issued

LAW (L.A. & J – HOME – COURTS-B) DEPARTMENT

G.O.Rt.No1147.

Dated:04.06.2008

Read the following:

1. Representation of Sri (Capt.) K.Nishant Nair, Dt:27.03.2007
2. From the Director General of Police, A.P., Hyderabad, Letter Rc.No.2218/Compts-4/2007, Dated:30.06.2007 and 30.01.2008.

ORDER:

In the reference 1st read above, Sri (Capt.) K.Nishant Nair has informed that he was involved in a scuffle with Sub-Inspector of Police, Osmania Police Station on the issue of parking a Motor Cycle. During the conversation, heated arguments took place between the said Military Personnel and the Sub-Inspector, which eventually lead to registration of a case in Cr.No.121/2004, under section 333 of the Indian Penal Code, 1860 of Osmania University Police Station against Sri (Capt.) K.Nishant Nair, and the case was chargesheeted. The same is pending before IV Addl.Chief Metropolitan Magistrate, Nampally vide PRC No.18/2006. Sri (Capt.) K.Nishant Nair has requested to condone the offence as one time exception, as he is prepared to apologise for the offence which was committed inadvertently and under grave provocation.

2. In the letter 2nd read above, the Director General of Police, Andhra Pradesh, Hyderabad while taking into consideration of the reports of the Chief of the Army Staff, Commissioner of Police, Hyderabad City and the opinion of the Addl.Public Prosecutor, II Addl.Metropolitan Sessions Court has requested the Government to withdraw the prosecution pending against Sri K.Nishant Nair.
3. The Government after careful examination of the entire matter based on the material available have decided to withdraw prosecution against Sri (Capt.) Nishant Nair, presently working at Assam Rifles Training Centre and School (ARTC&S), Dimapur, Nagaland in Cr.No.121/2004 under section 333 of the Indian Penal Code, 1860 (Act 45 of 1860) of Osmania University Police Station pending before IV Addl.Chief Metropolitan Magistrate court vide PRC No.18/20006.
4. The Collector & District Magistrate, Hyderabad is directed to instruct the Additional Public Prosecutor concerned to file a petition under section 321 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) for withdrawal of prosecution against Sri (Capt.) K.Nishant Nair, presently working at Assam Rifles Training Centre and School (ARTC&S), Dimapur, Nagaland in Cr.No.121/2004 under section 333 of the Indian Penal Code, 1860 (Act 45 of 1860) of Osmania University Police Station pending before IV Addl.Chief Metropolitan Magistrate court vide PRC No.18/20006, under intimation to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T.MADAN MOHAN REDDY,
SECRETARY TO GOVERNMENT
LEGISLATIVE AFFAIRS & JUSTICE

To

The Collector & District Magistrate, Hyderabad District

The Director General of Police, A.P., Hyderabad.

The Commissioner of Police, Hyderabad City, Hyderabad.

The Assistant Public Prosecutor concerned (thro' Collector concerned)

Copy to:

The Law (E) Department

The P.S. to Secretary (L.A. & J) Dept.

Sf/Sc

// FORWARDED :: BY ORDER //

Section Officer